



Attorney Docket No. NASH-001/03US

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**In re application of Jian ZHAO *et al.*

Serial No.: 10/601,314

Examiner: Dentz, Bernard I.

Confirmation No.: 6959

Art Unit: 1625

Filed: June 20, 2003

For: **METHODS OF MAKING AND USING THEAFLAVIN, THEAFLAVIN-3-GALLATE, THEAFLAVIN-3'-GALLATE AND THEAFLAVIN 3,3'-DIGALLATE AND MIXTURES THEREOF**

U.S. Patent and Trademark Office
 Customer Service Window, Mail Stop RCE
 Randolph Building
 401 Dulany Street
 Alexandria, VA 22314

INFORMATION DISCLOSURE STATEMENT TRANSMITTAL

Enclosed is an Information Disclosure Statement and accompanying Form PTO/SB/08A for the above-identified patent application.

- In accordance with 37 C.F.R. §1.97(b), no additional fee for submission of the IDS is required.
- In accordance with 37 C.F.R. §1.97(c), also enclosed is:
 - the fee of \$180.00 as set forth in 37 C.F.R. §1.17(p); or
 - a statement as specified in 37 C.F.R. §1.97(e).
- In accordance with 37 C.F.R. §1.97(d), a statement as specified in 37 C.F.R. § 1.97(e) and the fee of \$180.00 as set forth in 37 C.F.R. §1.17(p) are also enclosed.
- Check No. ___ in the amount of \$___ for the total fee is attached.
- A return receipt postcard is also enclosed.
- Please charge \$___ to Deposit Account No. 50-1283 for the total fee. This paper is being submitted in duplicate.

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Page 2

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§1.16, 1.17, and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 50-1283.

Dated: November 29, 2005

Cooley Godward LLP
ATTN: Patent Group
One Freedom Square
Reston Town Center
11951 Freedom Drive
Reston, VA 20190-5656
Tel: (703) 456-8000
Fax: (703) 456-8100

Respectfully submitted,
COOLEY GODWARD LLP

By:


Jayme A. Huleatt
Reg. No. 34,485

261457 v1/RE



Attorney Docket No. NASH-001/03US

PATENT

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Alexandria, VA 22314

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §1.97(b)**

In accordance with the duty of disclosure set forth in 37 C.F.R. §1.56, Applicant(s) hereby submits the following information in conformance with 37 C.F.R. §§1.97 and 1.98.

- Pursuant to 37 C.F.R. §1.98, a copy of each non-U.S. patent documents cited in the attached Form PTO/SB/08 is enclosed.
- No copies of the publications listed on the attached Form PTO/SB/08A are being provided pursuant to 37 C.F.R. §1.98(d) because the publications were previously cited by or submitted to the Office in prior Application Serial No. __, filed __ to which the above-identified application claims priority under 35 U.S.C. §120.
- No copies of any U.S. patents or U.S. patent application publications listed on the attached Form PTO/SB/08A are being provided pursuant to 37 C.F.R. §1.98.
- Publications listed on the attached Form PTO/SB/08A were cited in a foreign search or examination report corresponding to PCT application serial no. .
- Enclosed is a copy of a non-English publication(s) ___. Pursuant to §609 of the M.P.E.P., Applicant submits the attached foreign search or examination report, which cites such non-English language publication(s).
- Enclosed is a copy of a non-English publication(s) ___. English language publication __ (copy enclosed) claims priority from this non-English publication.
- Enclosed is an explanation of non-English publication(s) __ for which an English translation is not available.

- Enclosed is an English translation of non-English publication(s) ____ cited in the attached Form PTO/SB/08A.
- Enclosed is a copy of pending patent Application Serial No. ____.

This Information Disclosure Statement is filed within any one of the following time periods:

- within three months from the filing date of this national application other than a CPA under 37 C.F.R. § 1.53(d);
- within three months from the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in this international application;
- before the mailing date of a first office action on the merits; or
- before the mailing of a first office action after the filing of a request for continued examination under 37 C.F.R. § 1.114.

It is respectfully requested that the Examiner consider the above-noted information and return an initialed copy of the attached Form PTO/SB/08A to the undersigned.

Dated: November 29, 2005

Respectfully submitted,
COOLEY GODWARD LLP

Cooley Godward LLP
ATTN: Patent Group
One Freedom Square
Reston Town Center
11951 Freedom Drive
Reston, VA 20190-5656
Tel: (703) 456-8000
Fax: (703) 456-8100

By:


Jayme A. Huleatt
Reg. No. 34,485

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PTO/SB/08A (08-00)

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				<i>Complete if Known</i>	
Sheet	1	of	1	Application Number	10/601,314
				Filing Date	June 20, 2003
				First Named Inventor	Jian ZHAO
				Group Art Unit	1625
				Examiner Name	Dentz, Bernard I.
				Attorney Docket Number	NASH-001/03US

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code ² (if known)		
	1	2004/0097432	A1	Roh-Schmidt et al.	05-20-2004

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS					
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			
	2	"Black and Green Tea: How do they differ?", Tea Health Facts, pgs. 1-4, September 3, 2002, http://www.teahealth.co.uk/th/facts/1.htm			
	3	"Camellia sinensis (Tea)", Biodiversity explorer, pgs. 1-6, September 5, 2002, http://www.museums.org.za/bio/plants/theaceae/camellia_sinensis.htm			
	4	"Tea Polyphenols, water soluble, lipid soluble", Wuzhou International Co., Ltd., one-page, September 5, 2002, http://www.chinax.com/pages/wuzhou/tea%20polyphenols.htm			
	5	"Herbs – Green Tea (Camellia sinensis)", Golden Temple Ingredients-Herbs-Green Tea (Camellia sinensis), pgs. 1-3, September 5, 2002, http://www.goldentemple.com/Clients/KIIT/GT/Ingredients.nsf/Ingredients/Green+Tea+(Camellia...			
	6	EADINGTON Mona, "Tea Polyphenols and Cancer Prevention", Eadington/SJBR/2000, Pgs. 1-5, September 5, 2002, http://wwwchem.csustan.edu/chem4400/SJBR/00eading.htm			
	7	GOODSALL, Chris et al., "The mechanism of theaflavin oxidation during black tea manufacture", 2 nd International Electronic Conference on Synthetic Organic Chemistry (ECSOC-2), http://www.mdpi.org/ecsoc/ , September 1-30, 1998, pgs. 1-3, http://ecsoc2.hcc.ru/DP_TOP2/dp119/dp119.htm			
	8	YANG, Chung S. et al., "The Chemistry of Tea", p. 1-2, September 5, 2002, http://www.teatalk.com/science/chemistry.htm			
	9	The American Journal of Clinical Nutrition, August 1997, Vol. 66, No. 2, 11-pages			

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

261461 v1/RE

¹ Unique citation designation number.

² See attached Kinds of U.S. Patent Documents.

¹ Unique citation designation number.

² Applicant is to place a check mark here if English language Translation attached.